

SIDNEY BAUMGARTEN  
Notary Public, State of New York  
No. 02BA6155514  
Qualified in New York County  
Commission Expires Nov. 20, 2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-X Docket No. 08 CV 5903

FLORIDA ENTERPRISES INC. d/b/a  
FLORID'S RESTAURANT & 192 GRAND ST.  
CIGAR AND TRADING CO. INC.

Plaintiff

- against -

THE CITY OF NEW YORK, THE NEW YORK CITY  
DEPARTMENT OF HEALTH AND MENTAL HYGIENE,  
Et al.

**Defendants**

STATE OF NEW YORK ]  
] ss.:  
COUNTY OF NEW YORK)

GUILLELMO TORRES, being duly sworn, deposes and says:

1. I am over the age of 18 and am not a party to the above action.

2. On July 7, 2008 at about 1:38 PM at 120 Broadway, New York, New York, I served the within Summons and Complaint On the defendants, The State of New York and the New York State Department of Health, named in the said summons and complaint, by delivering copies to the Attorney General of the State of New York at the above address.

Guillermo Torres

Sworn to before me this  
7<sup>th</sup> day of July, 2008

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